

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

DONTY SIMMONS

PLAINTIFF

V.

CASE NO. 5:14-CV-151 BSM/BD

ED ADAMS, et al.

DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedure for Filing Objections:

This Recommended Disposition (“Recommendation”) has been sent to Chief United States District Court Judge Brian S. Miller. Any party may file written objections to this Recommendation.

Objections must be specific and must include the factual or legal basis for the objection. An objection to a factual finding must identify the finding of fact believed to be wrong and describe the evidence that supports that belief.

An original and one copy of your objections must be received in the office of the United States District Court Clerk within fourteen (14) days of this Recommendation. A copy will be furnished to the opposing party.

If no objections are filed, Judge Miller can adopt this Recommendation without independently reviewing all of the evidence in the record. By not objecting, you may also waive any right to appeal questions of fact.

Mail objections to:

Clerk, United States District Court
Eastern District of Arkansas
600 West Capitol Avenue, Suite A149
Little Rock, AR 72201-3325

II. Discussion:

Donty Simmons filed this action pro se under 42 U.S.C. § 1983, alleging that Defendants violated his eighth amendment rights while he was housed at the W.C. “Dub” Brassell Adult Detention Center (“Detention Center”). Mr. Simmons is no longer incarcerated at the Detention Center, as evidenced by mail returned to the Court as undeliverable. (#32) Mr. Simmons was previously ordered to promptly notify the Clerk and all parties of any change in his address within thirty days. (#33) He was also warned that failing to comply with the Court’s order could result in dismissal of his case.

To date, Mr. Simmons has not complied with this Court’s June 27, 2014 Order, and the time to do so has passed.

III. Conclusion:

The Court recommends that the Court dismiss Mr. Simmons’s claims, without prejudice, under Local Rule 5.5(c)(2), for failure to comply with the Court’s June 27, 2014 Order .

DATED this 30th day of July, 2014.



UNITED STATES MAGISTRATE JUDGE